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16 October 2009

Hon. Judge Nicholas Judge Garaufis  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201  
VIA CM / ECF and Facsimile (718) 613-2546

**1:09-CR-00672-NGG**  
**USA v. Bana, et al**

Dear Judge Garaufis,

As you are aware, our offices represent Vito Pipitone with respect to the above referenced matter.

We are forwarding this correspondence in furtherance of our request that Mr. Pipitone's bond be modified for the purpose of allowing certain doctor and lawyer visits.

In this regard, due to a forthcoming shoulder surgery for a torn rotator cuff, Mr. Pipitone has an appointment with Dr. Richard Seldes at 68-60 Austin Street, Queens, New York (718) 947-3532 on Thursday 22 October 2009 at 10:45AM. It is our understanding there may be one or more follow up visits in anticipation of the referenced surgical procedure.

In addition, we have scheduled an appointment with Mr. Pipitone at our offices on Wednesday 21 October 2009 at 1PM for purposes of discussing the instant legal matter.

Please note that the Office of the United States Attorney (through A.U.S.A. Argentieri) has represented that they have no objection to our application.

Thank you for your consideration in this matter.

Very truly yours,

  
Joseph Mure, Jr., Esq.

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SO ORDERED  
Hon. Judge Nicholas Judge Garaufis

cc: A.U.S.A. Nicole Argentieri VIA CM/ECF  
Office of Pretrial Services VIA Facsimile (718) 613-2488